

Coast Guard, DOT

§ 148.607

(3) Threat to human health and welfare; and

(4) Adverse effects on any site, structure, or object of potential historical or archeological significance; and

(c) Submit a preliminary written report to the Coast Guard within 30 days after the completion of activity that contains, as reasonably available at that time:

(1) A narrative description of the activities performed;

(2) Charts, maps, or plats for the area where the activities were conducted and referencing the narrative description required in paragraph (c)(1) of this section;

(3) The dates on which the activities were performed;

(4) Information on any adverse effects on the environment, other uses of the area where the activities were conducted, human health or welfare, or any site, structure, or object of potential historical or archeological significance;

(5) Data on the historical or archeological significance of the area where the activities were conducted, including the report of an underwater archaeologist, if physical data indicate the need for such expertise as related to the activities undertaken; and

(6) Any additional information that may be required by the Coast Guard; and

(d) Submit to the Coast Guard within 120 days after the completion of activity a final detailed report that contains all the data required in paragraph (c) of this section that was not included in the preliminary report.

§ 148.509 Suspension and prohibition of activities.

(a) The Commandant may order, either in writing or orally with written confirmation, the immediate suspension, for a period not to exceed 30 days, of any site evaluation activity when, in his judgment, such activity threatens immediate, serious, and irreparable harm to human life, biota, property, cultural resources, any valuable mineral deposits, or the environment. During any suspension the Coast Guard will consult with the sponsor of the activity suspended concerning appropriate measures to remove the cause

for suspension. A suspension may be rescinded at any time upon presentation of satisfactory assurance by the sponsor that the activity no longer adversely threatens the quality of the human environment.

(b) The Commandant may prohibit those activities that:

(1) Are suspended under paragraph (a) of this section, if the cause for suspension is not or cannot be removed;

(2) Threaten immediate, serious, and irreparable harm to life, including biota, property, cultural resources, any valuable mineral deposits, or the environment;

(3) Violate the requirements of this subpart; or

(4) Are otherwise inconsistent with the purposes of the Act.

Subpart F—Procedure for Exemption From Any Requirement in Deepwater Port Regulations

§ 148.601 Applicability.

This subpart sets forth the procedures governing exemptions from any requirement in this part 148, parts 149 and 150.

§ 148.603 Petition for exemption.

(a) Any person required to comply with any specific requirements in Part 148, Parts 149 and 150 may submit a petition to the Commandant for an exemption.

(b) A petition for exemption must be submitted in writing. It may be in any form, but it must be specific and it must contain all data necessary to evaluate its merits.

§ 148.605 Coordination with states.

A petition for exemption under this subchapter that appears to involve the interests of an adjacent coastal State will be referred to the Governor of that State for consideration and recommendation.

§ 148.607 Exemption criteria.

The Commandant grants an exemption if he determines that:

(a) Compliance with the regulations would be contrary to the public interest;